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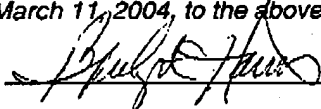
**FACSIMILE TRANSMITTAL SHEET AND
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****RECEIVED
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MAR 11 2004

OFFICIAL**TO: Official Application Related Correspondence - United States Patent and Trademark Office**Fax No. 703/872-9306

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 (Signature)**FROM: Bridget Harris for David V. Upite, Esq.** (Typed or printed name of person signing Certificate)Fax No. 513/627-8118Phone No. 513/627-8150

Listed below are the item(s) being submitted with this Certificate of Transmission:**

Number of Pages Including this Page: 38

- 1) Response to Notice of Non-Compliant Amendment – 16 pgs.
- 2) Attachments to Response – 17 pgs.
- 3) Petition for Extension of Time – in duplicate
- 4) Fee Transmittal – in duplicate
- 5)

Inventor(s): Frankenbach

S.N.: 09/554,969

Filed: 5/23/2000

Case: 7258X

Comments:

****Note:** Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.



FEE TRANSMITTAL for FY 2004 Patent fees are subject to annual revision.	Complete if Known	
	Application Number	09/554,969
	Confirmation Number	1835
	Filing Date	May 23, 2000
	First Named Inventor	Gayle Marie Frankenhach
	Examiner Name	J.R. Hardee
	Art Unit	1751
TOTAL AMOUNT OF PAYMENT (\$110.00)		Attorney Docket No. 7258X

METHOD OF PAYMENT 1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to: Deposit Account Number: 16-2480 Deposit Account Name: The Procter & Gamble Company		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Code</th> <th>(\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>Surcharge-late filing fee or oath</td><td><input type="checkbox"/></td></tr> <tr><td>1052</td><td>50</td><td>Surcharge-late provisional filing fee or cover sheet</td><td><input type="checkbox"/></td></tr> <tr><td>1053</td><td>130</td><td>Non-English specification</td><td><input type="checkbox"/></td></tr> <tr><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td><input type="checkbox"/></td></tr> <tr><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1251</td><td>110</td><td>Extension for reply within 1st month</td><td><input type="checkbox"/> [110]</td></tr> <tr><td>1252</td><td>420</td><td>Extension for reply within 2nd month</td><td><input type="checkbox"/></td></tr> <tr><td>1253</td><td>950</td><td>Extension for reply within 3rd month</td><td><input type="checkbox"/></td></tr> <tr><td>1254</td><td>1,480</td><td>Extension for reply within 4th month</td><td><input type="checkbox"/></td></tr> <tr><td>1255</td><td>2,010</td><td>Extension for reply within 5th month</td><td><input type="checkbox"/></td></tr> <tr><td>1401</td><td>330</td><td>Notice of Appeal</td><td><input type="checkbox"/></td></tr> <tr><td>1402</td><td>330</td><td>Filing a brief in support of an appeal</td><td><input type="checkbox"/></td></tr> <tr><td>1403</td><td>290</td><td>Request for oral hearing</td><td><input type="checkbox"/></td></tr> <tr><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td><input type="checkbox"/></td></tr> <tr><td>1452</td><td>110</td><td>Petition to revive - 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SUBMITTED BY Name (Print/Type) David V. Upite		Registration No. 47,147 (Attorney/Agent)		Complete (if applicable) Telephone (513) 627-8150	
Signature <i>David V. Upite</i>				Date March 11, 2004	

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. (201) 507-1001. SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 12-19-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Mertie J. Taylor
Legal Instruments Examiner (LIE)

571-272-1053
Telephone No.

***** -COMM. JOURNAL- ***** DATE DEC-19-2003 TIME 16:22 *****

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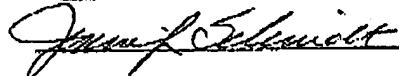
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Fax No. (571) 273-1318 Phone No. (571) 272-1318

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on December 19, 2003 to the above-identified facsimile number.

 (Signature)**FROM: Jennifer Schmidt (Typed or printed name of person signing Certificate)**

Fax No. (513) 627-8118

Phone No. (513) 627-6869

Listed below are the item(s) being submitted with this Certificate of Transmission:**

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- 2) Fax Cover Page
- 3) RCE Transmittal (2 copies)
- 4) Fee Transmittal (2 copies)
- 5) Amendment (9 pages)

Inventor(s): Frankenbach, et al.

S.N.: 09/554,969

Filed: May 23, 2000

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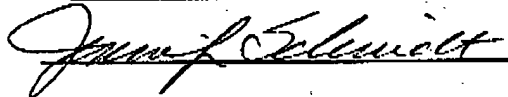
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Inventor(s): <u>Funkhouser et al.</u>		
GPN: <u>09/554,968</u>		
Filed: <u>May 22, 2000</u>		
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Inventor(s): Frankanbach et al.

S.N.: 09/554,969

Filed: May 23, 2000

Case: 7258X

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